

Justification Review Document for Other Than Full and Open Competition

Program/Equipment: Non-Standard Weapons Glock 18 System and Glock 19 System
Basic Ordering Agreement for the U.S. Army Research Development Engineering
Command Armament Research Development and Engineering Center (RDECOM-
ARDEC)

Authority: 10 USC 2304(c)(1), as implemented by FAR 6.302-1 – Only one source and
no other supplies or services will satisfy agency requirements

Amount: \$530,780.00

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Reviews: I have reviewed this justification and find it adequate to support other
than full and open competition.

[REDACTED]

[REDACTED]

**JUSTIFICATION AND APPROVAL
FOR OTHER THAN FULL AND OPEN COMPETITION**

1. Contracting Activity: U.S. Army Contracting Command – New Jersey

2. Description of Action: Approval is requested for the procurement of Glock 18 Systems and Glock 19 Systems using Other Than Full and Open Competition. The nature of this effort will be the procurement of Glock 18 Systems and Glock 19 Systems to satisfy the U.S. Army Research Development Engineering Command Armament Research Development and Engineering Center (RDECOM-ARDEC) and United States Special Operations Command (USSOCOM) requirement for a Low Visibility Concealable Pistol (LVCP). A Basic Ordering Agreement for Non-Standard Foreign Weapon Systems, Parts and Accessories was issued to twenty-two (22) sources on 18 June 2014. RDECOM-ARDEC contemplates awarding a new Firm Fixed Price order under the BOA for Non-Standard Foreign Weapon Systems, Parts and Accessories. First delivery of the Glock 18 System is anticipated to occur within nine (9) months of contract award and the Glock 19 System is anticipated to occur within three (3) months of contract award. The estimated dollar value for this action is \$530,780.00 for an estimated 1,657 Glock Systems. A-APA funds will be used for this procurement.

3. Description of Supplies/Services: The U. S. Army Contracting Command – New Jersey, Picatinny Arsenal, NJ, in support of the U.S. Army Research Development Engineering Command Armament Research Development and Engineering Center (RDECOM-ARDEC) and United States Special Operations Command (USSOCOM), intends to procure the following:

1. Three (3) GLOCK 18 Systems, factory made, no aftermarket conversions accepted.
 - a. Country of origin: Austria
 - b. Caliber: 9x19mm
 - c. Condition: New Condition, manufactured within the last five years.
 - d. GLOCK 18 System consists of:
 - i. One (1) GLOCK 18 machine pistol
 - ii. Six (6) magazines with seventeen (17) round capacity each (factory GLOCK only) each
 - iii. One (1) operator's manual.
2. One thousand six hundred fifty four (1654) GLOCK 19 Systems with Night Sights.
 - a. Country of origin: Austria or USA
 - b. Caliber: 9x19mm
 - c. Condition: New Production.
 - d. GLOCK 19 System consists of:
 - i. One (1) GLOCK 19 pistol model G19

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- ii. Six (6) magazines with fifteen (15) round capacity each (factory GLOCK only)
- iii. Self-luminous front and rear night sights (standard height).

The total estimated dollar value associated with this fiscal year FY15 and FY16 is \$530,780.00, which will procure 1,657 Glock Systems. First delivery of the Glock 18 System is anticipated to occur within nine (9) months of contract award and the Glock 19 System is anticipated to occur within three (3) months of contract award. The Government's minimum needs have been verified by the certifying technical and requirements personnel.

		Item	Quantity	
		Glock 18	3	
		Glock 19	1654	
			-	
Total			1657	\$530,780.00

Table 1: Proposed Glock 18 System and Glock 19 System Budget Profile

4. Authority Cited: 10 U.S.C. 2304(c)(1) as implemented by FAR 6.302-1(c) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements, Brand Name Description.

5. Reason for Authority Cited: In accordance with FAR 6.302-1(c) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements, as applied under FAR 6.302-1(c) – Unique Supplies or Services Brand Name Description this acquisition is essential to USSOCOM's requirement. USSOCOM delegated Component Approval of the Family of Low Visibility and Concealable Pistols (FLVCP), so that Components now have the authority to select weapon systems that meet requirements defined at the unit level. The requirement for a FLVCP has not been satisfied by the standard issue side-arm. The required key performance parameters for a FLVCP are defined as follows in order of priority:

1. Size cannot be greater than 7.32 inches long, 5.43 inches high and 1.18 inches wide. The pistol is required to be completely concealed and unnoticeable by casual observation when sitting, standing or walking while wearing a military field uniform or indigenous attire.
2. Caliber - .380 or larger
3. Reliability of at least 2000 rounds mean time between services (MTBS) and 5000 rounds mean time between failures (MTBF)
4. Durability to fire three (3) standard magazines issued with the system in under thirty (30) seconds in extreme environmental conditions
5. Low ownership costs
6. Multiple safety systems

7. Other Weapon system considerations such as, required training, magazine capacity, additional available sights, user ergonomics, etc.

GLOCK, Inc. offers a commercially available product line to meet all of these requirements in a variety of pistols to service individual unit needs on a per-situation basis. Requesting SOCOM Component has previously fulfilled these requirements with the GLOCK family of pistols, and therefore requests to supply additional weapon systems with GLOCK weapons to ensure continuity of training, tactics and procedures for the deployment of the weapons, their use in mission situations, and standardization of spare parts supply and maintenance requirements.

USSOCOM has a validated requirement for a Low Visibility Concealable Pistol (LVCP). USSOCOM surveyed the United States Government (USGOV) to determine if this requirement had been met by any other US Agency. Department of Homeland Security (DHS) had a requirement for a LVCP that was competed, selected and fielded. It was determined that a Glock 19 System had met the requirement for a LVCP and is currently being fielded by DHS.

USSOSOM was able to arrange a transfer from DHS for two thousand five hundred (2500) Glock 19 Systems to USSOCOM. USSOCOM has become familiar with the Glock Systems. Another LVCP is a risk because the unfamiliarity of the system could result in operator hesitation or error and the possibility of maintenance issues could result in bodily injury to the user or bystanders. This risk is unacceptable to the user. USSOCOM has been utilizing the Glock 19 System and has determined that the Glock 19 meets their requirement for a LVCP.

The Glock 19 System has been vetted for safety and legal review and approval. The training required to safely and effectively field a new system has been established and utilized with the Glock 19 System. DHS expended considerable time and resources to qualify the Glock 19. The logistics to test and field a new LVCP pistol would increase cost and take a year or more to safely train and field.

GLOCK 18 and 19 pistol designs are proprietary and the technical data packages for these weapons are owned by GLOCK. Given the requirement is specifically for GLOCK 18 and 19 pistols, Market Research was conducted to obtain source competition for these specific weapons. In the course of that research, it was determined that GLOCK, Inc. and several current BOA holders could compete to supply Glock Systems.

The specific alternatives to Other than Full & Open Competition (OF&OC) that were considered include Full & Open Competition (F&OC) for a comparable weapon system to the Glock Pistols. Performance testing, qualification and potential type classification of a pistol other than the standard issue side arm would represent a tremendous cost to the government. A selection for the "next military pistol" has been proposed numerous times but has been postponed due to the widely published estimated cost of \$350M for the effort. The estimated time to successfully complete such an effort would take

between [REDACTED]. As such, both cost and schedule risk are high to the Government. GLOCK pistols are a commercial item, and component sourcing and assembly at facilities other than GLOCK, Inc. represents an unacceptable risk in weapon system performance and safety. The Customer is familiar with the performance and capabilities of the GLOCK 18 & 19 pistols identified. They are aware of their utility and limitations as a Low Visibility Concealable Pistol (LVCP). LVCPs other than Glock 18 & 19 are unfamiliar to the customer. This unfamiliarity may result in user hesitation, operator error, or maintenance issues which may be directly responsible for grave bodily injury to the user or bystanders. Therefore, performance risk is high.

6. Efforts to Obtain Competition:

a. Effective Competition: RDECOM-ARDEC personnel maintain active communication with members of the firearms industry. Based on meetings with company representatives, RDECOM-ARDEC personnel have determined that there are no other firearm systems that can fulfill the requirement. In an effort to ensure that offers are solicited from as many potential BOA holders as practicable the Government issued Presolicitation Notice W15QKN-15-T-7825 for Glock 18 and Glock 19 via Federal Business Opportunities (FedBizOpps) on 4 March 2015. All BOA holders will have the opportunity to respond to the solicitation and will be evaluated according to the established Evaluation Criteria for this procurement. Responses by GLOCK, Inc. and several BOA holders are anticipated. Proposals for alternate items are not acceptable.

b. Subcontracting Competition: The Government intends to ensure that the prime contractor obtains as much subcontracting competition as possible. It will be the responsibility of the prime contractor to select any required subcontractors. All appropriate clauses concerning subcontractors and subcontract competition will be included in the resultant contract.

7. Actions to Increase Competition:

[REDACTED]

[REDACTED]

[REDACTED]

8. Market Research: Market research has been conducted for this acquisition in accordance with FAR Part 10. Personal knowledge in procuring supplies/ services of this type, contact with requester and/or other knowledgeable people in Government and industry regarding the commercial nature of this requirement and standard industry practices in this area of supply/service, review of recent market research results for similar or identical supplies/services and Internet research of commercial suppliers for identical items, were the techniques utilized. A detailed Market Research report was completed by [REDACTED] on 5 February 2015. As a result of the above market research, it is determined that all responsible BOA holders that have a BOA for Non-Standard Weapons can compete on this effort under full and open competition.

It has been determined by the requesting command that competition under the BOA represents the best acquisition strategy to fulfill the requirement. The Government anticipates receiving multiple responses from any number of the companies participating under the BOA. Competition will be from responsible BOA holders under existing BOA agreements.

9. Interested Sources: The notices required by FAR 5.201 will be published in FedBizOpps and all proposals received will be considered.

10. Other Facts:

a. Provide the Procurement History: None, this office has not previously fulfilled this requirement.


11. Technical Certification: I certify that the supporting data under my cognizance, which are included in the justification are accurate and complete to the best of my knowledge and belief.

[REDACTED]


12. Requirement Certification: I certify that the supporting data under my cognizance, which are included in the justification are accurate and complete to the best of my knowledge and belief.

[REDACTED]

13. Fair and Reasonable Price Determination: I hereby determine that the anticipated cost to the Government for this contract action will be fair and reasonable. The contractor's proposal will be subjected to technical evaluation and price analysis. Certified Cost and Pricing Data will not be required in accordance with FAR 15.403-4(a)(1).



14. Contracting Officer Certification: I certify that this justification is accurate and complete to the best of my knowledge and belief.



APPROVAL

Based on the foregoing justification, I hereby approve the procurement of Non-Standard Weapons Glock 18 System and Glock 19 System on an other than full and open competition basis pursuant to the authority of 10 USC 2304(c)(1) and FAR 6.302-1(c), Only one source and no other suppliers or services will satisfy agency requirements, subject to availability of funds, and provided that the services and property herein described have otherwise been authorized for acquisition.

